

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>16-515</u>
v.	:	DATE FILED: <u>February 16, 2017</u>
MARK VEGA	:	VIOLATIONS:
	:	18 U.S.C. § 1341 (mail fraud - 4 counts)
	:	18 U.S.C. § 1028A (aggravated identity
	:	theft – 3 counts)
	:	18 U.S.C. § 287 (submitting false claims – 5
	:	counts)
	:	18 U.S.C. § 1343 (wire fraud – 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)

SUPERSEDING INDICTMENT

COUNTS ONE THROUGH FOUR

THE GRAND JURY CHARGES THAT:

At all times relevant to this information:

1. Discover Financial Services, Inc., (“Discover”) was an American financial services company, headquartered in Riverwoods, Illinois, which, among other things, issued credit cards to customers.

2. American Express Company (“American Express”) was a financial services corporation headquartered in New York, New York, which, among other things, issued credit cards to customers.

3. Defendant MARK VEGA was a resident of Shillington, in the Eastern District of Pennsylvania.

THE SCHEME

4. From on or about August 17, 2015, through on or about July 11, 2016, defendant

MARK VEGA

devised and intended to devise a scheme to defraud Discover, Inc., and American Express, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

5. Defendant MARK VEGA, without permission, would use the identities of other individuals, including at various times their names, social security numbers and other personal information, to apply for credit and/or credit cards in the names of those individuals.

6. On or about March 26, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to Discover using the name, date of birth and social security number of C.L., a person known to the Grand Jury. Defendant VEGA used his own address on the application, which was declined.

7. On or about April 8, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to Discover, using the name, date of birth and social security number of C.L. Defendant VEGA used his own address on the application, which was declined.

8. On or about April 12, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to Discover, using the

name, date of birth and social security number of C.L. Defendant VEGA used his own address on the application, which was declined.

9. On or about May 3, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to Discover, using the name, date of birth and social security number of C.L. Defendant VEGA used his own address on the application. On or about May 5, 2016, Discover, Inc., approved this application and issued Discover Card Number xxxxxxxxxxxx9677 with a credit limit of \$4,000. Discover mailed the credit card to defendant VEGA at his address his Shillington, Pennsylvania.

10. On or about August 17, 2015, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to American Express using the name, date of birth and social security number of H.T., a person known to the Grand Jury. The application was approved and resulted in the issuance of American Express Card Number xxxxxxxx31001, which American Express mailed to defendant VEGA's previous address in Reading, Pennsylvania.

11. On or about August 17, 2015, defendant MARK VEGA added himself as an authorized user on the account of H.T., which resulted in the issuance of American Express Card Number xxxxxxxx31019 mailed to defendant VEGA's address in Shillington, Pennsylvania.

12. On or about January 5, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to American Express using the name, date of birth and social security number of P.T., a person known to the Grand Jury. The application was approved and resulted in the issuance of American Express Card

Number xxxxxxxx61009, which American Express mailed to defendant VEGA's address in Shillington, Pennsylvania.

13. On or about January 5, 2016, defendant MARK VEGA added himself as an authorized user on the account of P.T., which resulted in the issuance of American Express Card Number xxxxxxxx361017 mailed to defendant VEGA's address in Shillington, Pennsylvania.

14. On or about March 28, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to American Express using the name, date of birth and social security number of C.L., a person known to the Grand Jury. The application was approved and resulted in the issuance of American Express Card Number xxxxxxxx41000, which American Express mailed to defendant VEGA's address in Shillington, Pennsylvania.

15. On or about March 28, 2016, defendant MARK VEGA added himself as an authorized user on the account of C.L., which resulted in the issuance of American Express Card Number xxxxxxxx41018 mailed to defendant VEGA's address in Shillington, Pennsylvania.

16. On or about April 4, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to American Express using the name, date of birth and social security number of S.P., a person known to the Grand Jury. The application was approved and resulted in the issuance of American Express Card Number xxxxxxxx01003, which American Express mailed to defendant VEGA's address in Shillington, Pennsylvania.

17. On or about April 4, 2016, defendant MARK VEGA added himself as an authorized user on the account of S.P., which resulted in the issuance of American Express Card Number xxxxxxxx01011 mailed to defendant VEGA's address in Shillington, Pennsylvania.

18. On or about July 5, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to American Express using the name, date of birth and social security number of K.Y., a person known to the Grand Jury. The application was approved and resulted in the issuance of American Express Card Number xxxxxxxx71006, which American Express mailed to defendant VEGA's address in Shillington, Pennsylvania.

19. On or about July 5, 2016, defendant MARK VEGA added himself as an authorized user on the account of K.Y., which resulted in the issuance of American Express Card Number xxxxxxxx71014 mailed to defendant VEGA's address in Shillington, Pennsylvania.

20. On or about July 5, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to American Express using the name, date of birth and social security number of K.Y., a person known to the Grand Jury. The application was approved and resulted in the issuance of American Express Card Number xxxxxxxx21007, which American Express mailed to defendant VEGA's address in Shillington, Pennsylvania.

21. On or about July 5, 2016, defendant MARK VEGA added himself as an authorized user on the account of K.Y., which resulted in the issuance of American Express Card Number xxxxxxxx21015 mailed to defendant VEGA's address in Shillington, Pennsylvania.

22. On or about July 11, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to American Express using the

name, date of birth and social security number of X.W., a person known to the Grand Jury. The application was approved and resulted in the issuance of American Express Card Number xxxxxxxx01006, which American Express mailed to defendant VEGA's address in Shillington, Pennsylvania.

23. On or about July 11, 2016, defendant MARK VEGA added himself as an authorized user on the account of X.W., which resulted in the issuance of American Express Card Number xxxxxxxx01014 mailed to defendant VEGA's address in Shillington, Pennsylvania.

24. On or about July 6, 2016, defendant MARK VEGA, without permission, submitted an electronic application for credit via the internet to American Express using the name, date of birth and social security number of A.S., a person known to the Grand Jury. The application was approved and resulted in the issuance of American Express Card Number xxxxxxxx81006, which American Express mailed to defendant VEGA's address in Shillington, Pennsylvania.

25. On or about July 7, 2016, defendant MARK VEGA added himself as an authorized user on the account of A.S., which resulted in the issuance of American Express Card Number xxxxxxxx81014 mailed to defendant VEGA's address in Shillington, Pennsylvania.

26. On or about the dates shown below, in the Eastern District of Pennsylvania, and elsewhere, defendant

MARK VEGA,

for the purpose of executing the scheme described above, and attempting to do so, knowingly caused to be delivered by United States mail according to the directions thereon any matter or thing, that is credit cards to the locations shown below, each mailing constituting a separate count.

Count	On or About Date	Identity on Card	Origination	Destination
1.	April 4, 2016	S.P.	Nebraska	Pennsylvania
2.	March 28, 2016	C.L.	Nebraska	Pennsylvania
3.	May 10, 2016	C.L.	Utah	Pennsylvania
4.	July 11, 2016	K.Y.	Nebraska	Pennsylvania

All in violation of Title 18, United States Code, Section 1341.

COUNT FIVE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 3, 2016, in Shillington, in the Eastern District of Pennsylvania, and elsewhere, defendant

MARK VEGA

knowingly and without lawful authority transferred, possessed, and used, and aided and abetted the transfer, possession, and use of, a means of identification of, another person, that is, the name and social security number of C.L., a person known to the Grand Jury, during and in relation to a mail fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5) and 2.

COUNT SIX

THE GRAND JURY FURTHER CHARGES THAT:

On or about April 4, 2016, in Shillington, in the Eastern District of Pennsylvania, and elsewhere, defendant

MARK VEGA

knowingly and without lawful authority transferred, possessed, and used, and aided and abetted the transfer, possession, and use of, a means of identification of, another person, that is, the name and social security number of S.P., a person known to the Grand Jury, during and in relation to a mail fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5) and 2.

COUNTS SEVEN THROUGH ELEVEN

THE GRAND JURY FURTHER CHARGES THAT:

At all times material to this indictment:

1. The Internal Revenue Service was an agency of the United States Department of the Treasury, responsible for administering and enforcing the tax laws of the United States.
2. The tax laws of the United States required every citizen and resident of the United States who received gross income in excess of the minimum filing amount established by law for a particular tax year to annually make a federal individual income tax return for that tax year, and to file such a tax return with the IRS.
3. Upon receipt of a filed tax return showing that a refund is due to a particular taxpayer, the IRS typically issued a refund to the taxpayer payable by the United States Treasury. As directed by the particular taxpayer, the IRS mailed the refund check to the address listed on the tax return filed with the IRS or electronically deposited the refund to an account of the taxpayer's choosing "direct deposit."
4. Federal individual income tax returns, IRS Forms 1040, 1040A, and 1040EZ, required the taxpayer to provide his/her social security number ("SSN") on the tax return. The IRS used the SSNs provided on tax returns in order to track and record for each particular tax year who has filed an income tax return, and who has claimed or received a tax refund.

5. On or about the dates specified in the table below, in the Eastern District of Pennsylvania, and elsewhere, defendant

MARK VEGA

made and presented, and aided, abetted, and caused the making and presenting of, claims against the United States, specifically to the IRS, for payment of individual income tax refunds, as described in the table below, by preparing and causing to be prepared, and presenting and causing to be presented, a U.S. Individual Income Tax Return in the name of each of the individuals whose initials are listed below, wherein a claim for an income tax refund for the amount listed below was made, knowing such claim to be false, fictitious, and fraudulent:

Count Number	Date	Name of Direct Deposit	Amount Claimed
7	January 21, 2016	A.M.	\$6,038
8	January 21, 2016	K.A.	\$6,038
9	January 28, 2016	J.C.	\$812
10	January 29, 2016	J.S.	\$846
11	May 6, 2015	L.B.	\$1,000

All in violation of Title 18, United States Code, Sections 287 and 2.

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs one through four of counts seven through eleven are realleged here.
2. From on or about January 1, 2016, to on or about February 1, 2016, defendant

MARK VEGA

devised and intended to devise a scheme to defraud the Internal Revenue Service, and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

3. It was part of the scheme that the defendant prepared and filed false tax returns in the names of stolen identities seeking refunds to which he was not entitled.
4. On or about January 21, 2016, defendant

MARK VEGA

for the purpose of executing the scheme described above, and attempting to do so, caused to be transmitted by means of wire communication signals and sounds in interstate commerce, that is an electronic filing a tax return between Pennsylvania and California.

All in violation of Title 18, United States Code, Sections 1343,1349.

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 21, 2016, in Shillington, in the Eastern District of Pennsylvania, and elsewhere, defendant

MARK VEGA

knowingly and without lawful authority transferred, possessed, and used, and aided and abetted the transfer, possession, and use of, a means of identification of, another person, that is, the name and social security number of A.M., a person known to the Grand Jury, during and in relation to a wire fraud.

In violation of Title 18, United States Code, Sections 1028A(a)(1), (c)(5) and 2.

A TRUE BILL:

FOREPERSON

LOUIS D. LAPPEN
Acting United States Attorney